

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether (“MTBE”)
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

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This document relates to the following case:

City of New York v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

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**DECLARATION OF MARNIE E. RIDDLE IN SUPPORT OF PLAINTIFF CITY
OF NEW YORK’S MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANTS’ MOTION *IN LIMINE* TO EXCLUDE EVIDENCE AND
ARGUMENT REGARDING ALLEGED POTENTIAL HUMAN HEALTH
EFFECTS ASSOCIATED WITH MTBE**

Marnie E. Riddle, an attorney duly admitted *pro hac vice* to appear in this case, hereby
declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff the City of New York (“the City”) in the above-captioned matter. I submit this Declaration in support of Plaintiff City of New York’s Opposition to Defendants’ Motion *in Limine* to Exclude Evidence and Argument Regarding Alleged Potential Human Health Effects Associated with MTBE (the “Opposition”). This declaration authenticates the exhibits attached hereto and relied on in the City’s Opposition. In accordance with the Court’s Individual Rules and Procedures, the exhibits have been excerpted to include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around May 26, 2009.

2. Attached as Exhibit 1 is a true and correct copy of selected pages from the Federal Register (Friday, March 24, 2000), Environmental Protection Agency, 40 CFR Part 755, Methyl

Tertiary Butyl Ether (MTBE); Advance Notice of Intent to Initiate Rulemaking Under the Toxic Substances Control Act to Eliminate or Limit the Use of MTBE as a Fuel Additive in Gasoline; Advance Notice of Proposed Rulemaking.

3. Attached as Exhibit 2 is a true and correct copy of selected pages from the Minutes of Meeting (Wednesday, January 11, 1984), Toxicology Committee, American Petroleum Institute, bearing stamp "Received, May 17 1984, RAS."

4. Attached as Exhibit 3 is a true and correct copy of a document entitled Hydrocarbon Contamination of Groundwater, Toxicology Overview, dated September 7, 1984, bearing Bates numbers ARC0176060 through ARC0176072.

5. Attached as Exhibit 4 is a true and correct copy of selected pages from the Expert Report of Kathleen M. Burns, Ph.D., dated February 6, 2009.

On this 26th day of May 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: San Francisco, California
May 26, 2009

/s/ MARNIE E. RIDDLE

MARNIE E. RIDDLE (*pro hac vice*)

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